

Remarks and Arguments

Prior to this amendment, claims 1-4, 6-10, 12-19, 21 and 26-35 were pending. Applicant has now canceled claims 4, 6, 9-10, 16, 22 and 31. Applicant has amended independent claim 1 and dependent claims 3, 8, 12, 17 and 21. Applicant has amended second independent claim 29 and dependent claim 34.

The claims now pending for examination are 1-3, 7-8, 12-21, 23-30 and 32-35.

Applicant notes with appreciation the allowance of claims 20, 22-25 and 30-35.

Independent claim 29 has been amended to include the subject matter of allowed claim 31. Thus, independent claim 29, and the remaining dependent claims 30 and 32-35, are believed to be in condition for allowance.

Independent claim 1 has been amended to further define the reference form of the extension piece in a manner patentably distinct from the prior art of record. The reference form of claim 1 now recites: "a bevel is provided in the area of the transition from the reference surface to the outer surface of the semi-circular cylinder." This bevel feature, described in the specification at pages 6, 18-19 and 22, is not disclosed in the prior art, as apparently acknowledged by the Examiner in the prior office action.

Dependent claim 8 has been amended to further recite, regarding the claimed transfer aid: "a recess is arranged in the transition area between the transfer surface and the semicylindrical inner surface." This recess feature, not taught in the prior art (as apparently acknowledged in the prior office action) is described in the specification at pages 8, 20 and 22.

Dependent claim 17 has been amended to recite: "and wherein a position marking is arranged on the extension piece before the machining, and wherein the extension piece, for machining, is removed from the working model and is fitted onto a holder and machined on the latter after the impression has been taken." This feature is also not disclosed in the prior art (as apparently acknowledged in the prior office action).

Thus, Applicant respectfully submits that all of the present claims are now in condition for allowance.

As requested by the Examiner, Applicant has amended the specification and claims to use more conventional language, specifically amending "screw-in surfaces" to "gripping surfaces." This is supported by the original specification which describes the

screw-in surfaces (21) of Fig. 1 as surfaces which can be engaged or gripped by an inner contour 34 of a tool to permit screwing the threaded stem 29 into the threaded socket 14 of the implant (see page 19).

RECONSIDERATION

It is believed that all claims of the present application are now in condition for allowance.

Reconsideration of this application is respectfully requested. If the Examiner believes that a teleconference would expedite prosecution of the present application the Examiner is invited to call the Applicant's undersigned attorney at the Examiner's earliest convenience.

Any amendments or cancellation or submissions with respect to the claims herein is made without prejudice and is not an admission that said canceled or amended or otherwise affected subject matter is not patentable. Applicant reserves the right to pursue canceled or amended subject matter in one or more continuation, divisional or continuation-in-part applications.

To the extent that Applicant has not addressed one or more assertions of the Examiner because the foregoing response is sufficient, this is not an admission by Applicant as to the accuracy of such assertions.

Please grant any extensions of time required to enter this response and charge any fees in addition to fees submitted herewith that may be required to enter/allow this response and any accompanying papers to our deposit account 02-3038 and credit any overpayments thereto.

Respectfully submitted,

/Therese A. Hendricks/

Date:2007-09-04

Therese A. Hendricks, Esq., Reg. No. 30,389
Rissman Jobse Hendricks & Oliverio, LLP
Customer Number 021127
Tel: (617) 367-4600 Fax: (617) 367-4656